

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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DATE: 12/17/12

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SUPERSEDES: 10/17/07

SUBJECT: DETAINERS/BENCH WARRANTS

AUTHORITY: TEXAS GOVERNMENT CODE § 508.118, 508.119

PURPOSE: To establish guidelines pertaining to detainers or bench warrants on offenders in custody at an Intermediate Sanction Facility/Substance Abuse Felony Punishment Facility (ISF/SAFPF).

PROCEDURE:

I. DETAINER FOR OFFENDERS IN AN INTERMEDIATE SANCTION FACILITY (ISF)

- A. Upon notification by the detaining agency that the offender has an active warrant in their county, the District Parole Office shall notify the ISF Parole Officer III or designee in the Central Coordination Unit (CCU) within one (1) business day.
- B. A copy of the detaining agency's warrant shall be forwarded to the ISF Parole Officer III or designee and the ISF warden immediately upon receipt by the detaining agency or the ISF parole officer.
- C. The ISF Parole Officer III or designee shall notify the detaining agency and request the transport date and time from the ISF within two (2) business days.
- D. The ISF Parole Officer III or designee shall review detainer specifics, and if determined appropriate, submit within two (2) business days an ineligible transmittal to the Parole Panel to withdraw ISF if the offender:
 - 1. Has served less than 60 days from Texas Board of Pardons and Paroles (BPP) Action; or
 - 2. Was voted ISF until discharge by the BPP.
- E. Upon the offender's release from the ISF, the ISF Parole Officer III or designee shall notify the Region ISF Coordinator, the Detainer Program Supervisor, CCU, and the Parole Supervisor at the District Parole Office nearest the detaining agency to monitor the charges against the offender.

- F. The pre-revocation warrant will not be withdrawn by the facility parole officer upon release.
- G. If the detainer warrant was pending before transfer to an ISF, the appropriate Region ISF coordinator shall notify the ISF Parole Officer III.

II. BENCH WARRANT FOR OFFENDERS IN AN INTERMEDIATE SANCTION FACILITY (ISF)

- A. When a bench warrant is lodged against an offender in an ISF, the offender may be picked up before the scheduled completion date of the offender's term with a guarantee from the detaining authority that the offender will be returned to the facility.
- B. If the bench warrant was pending before transfer to an ISF, the appropriate Region ISF coordinator shall notify the ISF Parole Officer III.

III. DETAINER/BENCH WARRANT FOR OFFENDERS IN A SUBSTANCE ABUSE FELONY PUNISHMENT FACILITY (SAFPF)

- A. The ISF Parole Officer III or designee shall review detainer/bench warrant specifics, and consider the proximity of the scheduled program completion date and the feasibility of the offender returning to the SAFPF from the detaining authority's custody.
- B. If determined appropriated, the Parole Supervisor III shall submit, within two (2) business days, an ineligible transmittal to the Parole Panel to withdraw SAFPF if the offender:
 - 1. Has served, after BPP SAFP vote, less than 180 days from the date of arrival in the SAFP; or
 - 2. Was voted SAFP until discharge.

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